

Message Text

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PAGE 01 SAN JO 01787 222320 Z

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ACTION AID-31

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R 222146 Z MAY 73

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC 4060

INFO AMEMBASSY PANAMA

C O N F I D E N T I A L SAN JOSE 1787

AIDAC

FOR DAVID LAZAR ARA/ CEN FROM AMBASSADOR

E. O. 11652: GDS

REF: (A) SAN JOSE 1235 AND (B) LAZAR LETTER
OF MAY 14

1. I AM DISTURBED BY REF B' S IMPLICIT NEGATIVE
RESPONSE TO OUR REQUEST TO PROVIDE ILC FINANCIAL
RECORDS FOR REVIEW BY THE UNIVERSITY OF COSTA RICA. I
CANNOT EMPHASIZE TOO STRONGLY THAT THIS IS NOT A ROUTINE
CASE TO BE HANDLED BY NORMAL CRITERIA FOR PROCEDURES.
THE AID/ LAW SCHOOL BREAK CREATED A SITUATION FRAUGHT
WITH POLITICAL AND PSYCHOLOGICAL PROBLEMS. AID' S
RELATIONS WITH THE UNIVERSITY WILL BE DAMAGED FOR SOME
TIME TO COME AND THE UNIVERSITY' S TOTAL PERCEPTION OF
THE USG HAS BEEN AFFECTED. THE MATTER IS STILL A SORE
AND SENSITIVE POINT IN THE UNIVERSITY AND DEAN ORTIZ IS
DOGGED IN HIS ANTIPATHY, AS THE RECENT PRESSURE ON
CSUCA TO BREAK WITH ROCAP HAS DEMONSTRATED. IT IS
THEREFORE IMPORTANT TO AMELIORATE THE SITUATION AND
ESSENTIAL TO AVOID ITS BEING EXACERBATED.

2. WE KNOW THERE IS NO LEGAL CONTRACTUAL REQUIREMENT
FOR UCR REVIEW AS WE POINTED OUT IN REFTEL A, AND WE
ARE NOT ASKING FOR SUCH REVIEW ON THE BASIS OF A
CONTRACTUAL OBLIGATION. WE ARE DOING SO BECAUSE WE
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PAGE 02 SAN JO 01787 222320 Z

THINK THERE IS A REAL POLITICAL NECESSITY TO AMELIORATE THE SUSPICION AND ILL FEELINGS HERE. THE ISSUE IS SIMPLY WHETHER WE CAN RESPOND TO A REASONABLE REQUEST MADE BY THE COUNCIL OF THE UNIVERSITY (NOT THE LAW SCHOOL) IN ORDER TO AMELIORATE THE DETERIORATED RELATIONSHIP. HOW WE RESPOND WILL BE DETERMINANT OF UNIVERSITY PERCEPTIONS OF AID AND THE USG FOR SOME TIME TO COME. IF WE REFUSE TO RESPOND POSITIVELY THE IMPLICATION IS ALMOST SURE TO BE DRAWN THAT THERE WAS INDEED FINANCIAL MISMANAGEMENT WHICH WE ARE ATTEMPTING TO COVER UP UNDER THE GUISE OF LACK OF SPECIFIC CONTRACT CLAUSE PERMITTING UCR AUDIT. AND YOU MAY BE SURE ORTIZ WILL CHARGE THAT.

3. WE HAVE CONSIDERED THE ALTERNATIVE OF SUGGESTING THE UCR AUDITOR TRAVEL TO NEW YORK TO REVIEW ILC FINANCIAL REPORTS AND RECORDS, BUT DO NOT RECOMMEND TO REJECT THIS AS AN UNREASONABLE PROPOSAL, UNLESS WE FINANCED IT. EVEN THEN IT WOULD PROBABLY APPEAR TO THE UCR THAT THIS WAS A SUBTLE ATTEMPT TO MAKE THE REVIEW DIFFICULT.

4. IN SHORT, I CONSIDER IT EXTREMELY IMPORTANT TO OUR TOTAL RELATIONS WITH THE UNIVERSITY, OUR INFLUENCE GENERALLY AND THE GOOD NAME OF AID THAT WE BE AS FORTHCOMING AS POSSIBLE WITH THE UNIVERSITY IN THIS MATTER. I THEREFORE AGAIN REQUEST MOST STRONGLY THAT THE UNIVERSITY REQUEST TO REVIEW THE RECORDS BE ACCEDED TO AND THAT AID/ W MAKE EVERY EFFORT TO OBTAIN ILC CO-OPERATION.
VAKY

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